

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

\_\_\_\_\_  
SELIM ZHERKA and RICHARD BLASSBERG,

Plaintiffs,

-against-

THE TOWN OF NEW CASTLE, NEW YORK, and  
RICHARD POLCARI, individually,

\_\_\_\_\_  
Defendants.  
\_\_\_\_\_x

**STIPULATION OF  
DISCONTINUANCE  
WITHOUT PREJUDICE**

Docket No.  
07 Civ. 11429 (CLB)  
11249

IT IS HEREBY STIPULATED, by and between the undersigned, that whereas no party hereto is an infant or incompetent person for whom a committee has been appointed, and no person not a party has an interest in the subject matter of the action, the above-entitled action is hereby discontinued without prejudice as against all defendants, without costs to any party as against another.

IT IS FURTHER AGREED that a facsimile copy of this Stipulation shall have the same force and effect as an original and may be filed with the Clerk of the Court.

Dated: Mineola, New York  
May 30, 2008

LOVETT & GOULD, LLP  
Attorneys for Plaintiff  
222 Bloomingdale Road  
White Plains, New York 10605  
(914) 428-8401

By:  (4854)  
JONATHAN LOVETT

SO ORDERED:

U.S.D.J.

MIRANDA SOKOLOFF SAMBURSKY  
SLONE VERVENIOTIS LLP  
Attorneys for Defendants  
240 Mineola Boulevard  
Mineola, New York 11501  
(516) 741-7676  
Our File No.: 07-382

By:   
BRIAN S. SOKOLOFF (bss-7147)

6-12-08